IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

MONDAY THE SIXTH DAY OF JUNE
TWO THOUSAND AND FIVE
: PRESENT:
THE HON`BLE MR. JUSTICE: **B. PRAKASH RAO**
AND
THE HON`BLE MR. JUSTICE: **P. SWAROOP REDDY**
CRIMINAL APPEAL. No. **233 OF 1997**

(Criminal Appeal under Sec. 378 (4), (5) & (1) Crl. P.C. against the Judgment and decree of the Court of the IV Additional Sessions Judge, Visakhapatnam and passed in C.C. No. 67of 1996 dated: 17-09-1996)

Between:

The Public Prosecutor, High Court of A.P., Hyderabad.

.....Appellant/Petitioner

AND

Yerra Demudu, S/o. Appayya, Settibalihja, Rickshaw Puller, Valluru of Anakapalli Mandalam.

... Accused/Respondents

The Appeal coming on for hearing upon perusing the Appeal and grounds filed herein and the order of the High Court dated: 06-09-1999, 20-09-1999, 12-06-2000, 03-11-2000, 06-12-2000, 12-02-2001, 13-03-2001, 12-06-2001 made herein and upon hearing the arguments of the Public Prosecutor for the appellant and the Court while appointing Mr. T.C. Krishnan, Advocate as Amicus Curiae made the following

ORDER:

"Heard the learned Public Prosecutor.

Having regard to the fact that in spite of taking summons on the respondent-accused more than one occasion and also the exercise being done as contemplated under Section 84 (2) of Criminal Procedure Code for attaching the property and to sell the same, neither there is any endeavour on the part of the respondent herein to make appearance nor there is any possibility of serving the summons on him. In view of the same, we deem it necessary to hear the main appeal itself on merits by taking assistance by appointing a counsel as Amicus Curiae.

Accordingly Mr. T.C. Krishnan, Advocate is appointed as Amicus Curiae.

Office is directed to print the name of Mr. T.C. Krishnan, Amicus Curiae, serve the set of papers to him and post the appeal for final hearing on 13-06-2005".

ASSISTANT REGISTRAR

//TRUE COPY//

FOR ASSISTANT REGISTRAR

To

1. The IV Additional Sessions Judge, Visakhapatnam, Visakhapatnam District.
2. Mr. T.C. Krishnan, Advocate, High Court of A.P., Hyderabad. **(BY SPECIAL MESSENGER with a copy of Appeal all the material papers)**
3. Two CCs to the Public Prosecutor, High Court of A.P., Hyderabad. (OUT)
4. The Section Officer, Criminal Section, High Court of A.P., Hyderabad.
5. One spare copy.

Ksv

HIGH COURT

Ksv
Date of drafting: 06-06-2005

BPRJ
&
PSRJ

DATE: 06-06-2005

NOTE: POST THE APPEAL FOR FINAL HEARING ON 13-06-2005

ORDER

CRL.A. NO. 233 OF 1997